

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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YESSUH SUHYES HUSSEY,

Plaintiff,

-against-

3 JOHN DOES OF ESU,

Defendants.
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ORDER
23-CV-2156 (PKC) (LB)

PAMELA K. CHEN, United States District Judge:

Plaintiff Yessuh Suhyes Hussey, a serial filer, brings this action pursuant to 42 U.S.C. § 1983, alleging that on July 1, 2022, while being held at the Anna M. Kross Center on Rikers Island (“AMKC”), “3 ESU members lifted my body & slammed me to the ground from about 4 feet high, one then used his knee to excessively & abusively force & press the injured area on my head on the ground” (Compl. at 4.)¹ Plaintiff’s request to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 is granted. The Court requests that Corporation Counsel ascertain the full name and service addresses of the three John or Jane Doe Emergency Services Unit officers who were allegedly involved in the July 1, 2022 incident at AMKC. *See Valentin v. Dinkins*, 121 F.3d 72 (2d. Cir. 1997) (per curiam).

Corporation Counsel need not undertake to defend or indemnify these individuals at this time. This Order merely provides a means by which Plaintiff may name and properly serve the Defendants as instructed by the Second Circuit in *Valentin*. Corporation Counsel shall produce the information specified above regarding the identity and service addresses of these John Doe or Jane Doe Defendants

¹ At the time of filing, Plaintiff was being held at the Anna M. Kross Center on Rikers Island but was released from custody on March 2, 2023. *See* <https://a073-ils-web.nyc.gov/inmatelookup/pages/home/home.jsf> (last visited April 11, 2023). The Court notes that Plaintiff has filed at least 60 cases in recent months, including 43 cases on the same day. Although this Complaint will proceed for now, Plaintiff is again warned that the future filing of vexatious and frivolous litigation may result in sanctions, including the imposition of an injunction prohibiting him from making future filings seeking *in forma pauperis* status without leave of the Court.

within forty-five (45) days from the entry of this Order. Once this information is provided, Plaintiff's Complaint shall be deemed amended to reflect the full name and service addresses of these Defendants, a summons shall issue, and the United States Marshal Service shall serve the summons, the Complaint, and this Order upon these Defendants without prepayment of fees.

The case is respectfully referred to the Honorable Magistrate Judge Lois Bloom for pretrial supervision. The Clerk of Court shall send a copy of this Order to Plaintiff and to the Corporation Counsel for the City of New York, Special Federal Litigation Division.

SO ORDERED.

/s/Pamela K. Chen
PAMELA K. CHEN
United States District Judge

Dated: April 27, 2023
Brooklyn, New York